

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITE ARRAYS UTILIZING MICROSFERES WITH A HYBRIDIZATION CHAMBER, the specification of which

(check  is attached hereto.  
one)  
 was filed on June 28, 2000 as  
Application Serial No. 09/606,369  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			<u>Priority Claimed</u>	
<u>PCT/US99/31022</u>	<u>PCT</u>	<u>28 December 1999</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 and §119 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/473,904</u>	<u>December 28, 1999</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>09/256,943</u>	<u>February 24, 1999</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>60/113,968</u>	<u>December 28, 1998</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 38,050; Robin M. Silva, Reg. No. 38,304; Michael A. Kaufman, Reg. No. 32,988; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Robin M. Silva at (415) 781-1989.

Address all correspondence to:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111

File No. A-67493-3/DJB/RMS/DCF

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name first

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

John R. Staelnagel

4/21/01

Encinitas, CA

USA

38 Briggs Avenue, Encinitas, CA 92024

Full name of second

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Mark S. Chee

4/22/01

Del Mar, CA

Australia

155 15th Street, No. 24, Del Mar, CA 92014

Full name of third

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Steven R. Auger

Norwell, MA

USA

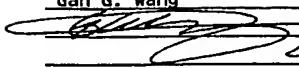
248 River Street, Norwell, Massachusetts 02061

Full name of fourth

inventor:

Gan G. Wang

Inventor's signature:



4-20-01

Date:

Residence:

San Diego, CA

Citizenship:

People's Republic of China

Post Office Address:

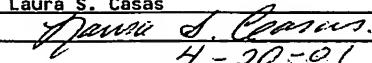
13043 Maritime Place, San Diego, CA 92130

Full name of fifth

inventor:

Laura S. Casas

Inventor's signature:



4-20-01

Date:

Residence:

Chula Vista, CA

Citizenship:

USA

Post Office Address:

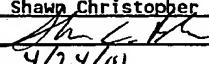
1009 Plaza Sinuoso, Chula Vista, CA 91910

Full name of sixth

inventor:

Shawn Christopher Baker

Inventor's signature:



4/24/01

Date:

Residence:

San Diego, CA

Citizenship:

USA

Post Office Address:

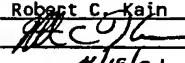
11280 Carmel Creek Road, San Diego, CA 92130

Full name of seventh

inventor:

Robert C. Jain

Inventor's signature:



4/19/01

Date:

Residence:

Del Mar, CA

Citizenship:

USA

Post Office Address:

13090 Via Grimaldi, Del Mar, CA 92014

1049039

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITE ARRAYS UTILIZING MICROSFERES WITH A HYBRIDIZATION CHAMBER, the specification of which

(check  is attached hereto.  
one)  
 was filed on June 28, 2000 as  
Application Serial No. 09/606,369  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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<u>PCT/US99/31022</u>	<u>PCT</u>	<u>28 December 1999</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

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<u>09/473,904</u>	<u>December 28, 1999</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
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<u>09/256,943</u>	<u>February 24, 1999</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
(patented, pending, abandoned)		

<u>60/113,968</u>	<u>December 28, 1998</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Status)
(patented, pending, abandoned)		

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harvey C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 38,050; Robin M. Silva, Reg. No. 38,304; Michael A. Kaufman, Reg. No. 32,988; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Höhbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

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Address all correspondence to:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111

File No. A-67493-3/DJB/RMS/DCF

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name first

inventor: John R. Stuelpnagel  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Residence: Encinitas, CA  
Citizenship: USA  
Post Office Address: 38 Briggs Avenue, Encinitas, CA 92024  
\_\_\_\_\_

Full name of second

inventor: Mark S. Chee  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Residence: Del Mar, CA  
Citizenship: Australia  
Post Office Address: 155 15th Street, No. 24, Del Mar, CA 92014  
\_\_\_\_\_

Full name of third

inventor: Steven R. Auger  
Inventor's signature: 6/19/2001  
Date: \_\_\_\_\_  
Residence: Norwell, MA  
Citizenship: USA  
Post Office Address: 248 River Street, Norwell, Massachusetts 02061  
\_\_\_\_\_

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Full name of fourth

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Gan G. Wang

San Diego, CA

People's Republic of China

13043 Maritime Place, San Diego, CA 92130

Full name of fifth

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Laura S. Casas

Chula Vista, CA

USA

1009 Plaza Sinuoso, Chula Vista, CA 91910

Full name of sixth

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Shawn Christopher Baker

San Diego, CA

USA

11280 Carmel Creek Road, San Diego, CA 92130

Full name of seventh

inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Robert C. Kain

Del Mar, CA

USA

13090 Via Grimaldi, Del Mar, CA 92014

1049039

STATEMENT UNDER 37 CFR 3.73(b)

Illumina, Inc., a corporation, states that it is the assignee of the entire right, title and interest in the patent application entitled: COMPOSITE ARRAYS UTILIZING MICROSpheres WITH A HYBRIDIZATION CHAMBER having named inventors John R. Stuelpnagel, Mark S. Chee, and Steven R. Auger by virtue of an assignment from the inventors of the patent application, for which a copy thereof is attached. The undersigned, whose title is supplied below, is authorized to act on behalf of the assignee.

January 28, 2004

Date

Noemi C. Espinosa

Vice President, Intellectual Property



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 31, 2001

PTAS

FLEHR HOHBACH TEST ALBRITTON & HERBERT  
ROBIN M. SILVA, ESQ  
4 EMBARCADERO CENTER, SUITE 3400  
SAN FRANCISCO, CA 94111-4187



\*101718996A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/10/2001

REEL/FRAME: 011793/0895  
NUMBER OF PAGES: 11

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR: STUELPNAGEL, JOHN R.	DOC DATE: 04/21/2001
ASSIGNOR: CHEE, MARK S.	DOC DATE: 04/23/2001
ASSIGNOR: AUGER, STEVEN R.	DOC DATE: 04/23/2001
ASSIGNOR: WANG, GAN G.	DOC DATE: 04/20/2001
ASSIGNOR: CASAS, LAURA S.	DOC DATE: 04/20/2001
ASSIGNOR: BAKER, SHAWN CHRISTOPHER	DOC DATE: 04/24/2001
ASSIGNOR: KAIN, ROBERT C.	DOC DATE: 04/19/2001

011793/0895 PAGE 2

ASSIGNEE:

ILLUMINA, INC.  
9390 TOWNE CENTRE DRIVE  
SUITE 200  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09606369  
PATENT NUMBER:

FILING DATE: 06/28/2000  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



101718996

To the Honorable Commissioner of Patents and

I documents or copy thereof.

## 1. Name of conveying party(ies):

John R. STUELPNAGEL, Mark S. CHEE, Steven R.  
AUGER, Gan G. WANG, Laura S. CASAS, Shawn  
Christopher BAKER, Robert C. KAIN

S-10-01

Additional name(s) of conveying  
party(ies) attached?

[ ] Yes [x] No

## 3. Nature of Conveyance:

[x] Assignment [ ] Merger

[ ] Security Agreement [ ] Change of Name

Execution Dates: 4/21/01, 4/23/01, 4/23/01, 4/20/01,  
4/20/01, 4/24/01, 4/19/01

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s): 09/606,369

B. Patent No.(s)

Additional numbers attached? [ ] Yes [x] No

5. Name and address of party to whom correspondence concerning  
document should be mailed:Name: Robin M. Silva, Esq.Internal Address: FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLPStreet Address: SUITE 3400FOUR EMBARCADERO CENTERCity: SAN FRANCISCOState: CA Zip: 94111-41876. Total number of applications  
and patents involved: [ 1 ]7. Total fee (37 CFR 3.41):.....\$ 40.00

[x] Enclosed

[ ] Authorized to be charged to deposit account

8. Deposit account number: **06-1300**Please debit any underpayment or credit any overpayment  
to the above deposit account.Our Order No. A-67493-3/DJB/RMS/DCF

(Attach duplicate of this page if paying by deposit account)

05/15/2001 DBYRNE 00000270 09606369

DO NOT USE THIS SPACE

01 FC~~5584~~ Statement and signature: 40.00 OPTo the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is  
a true copy of the original document.David C. Foster, Reg. No. 44,685  
for Robin M. Silva, Reg. No. 38,304  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document: [ 11 ]

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231

**ASSIGNMENT**  
(NOT ACCOMPANYING APPLICATION)

WHEREAS, the undersigned, John R. Stuelpnagel, resident of Encinitas, County of San Diego, State of California; Mark S. Chee, resident of Del Mar, County of San Diego, State of California; Steven R. Auger, resident of Norwell, County of Plymouth, State of Massachusetts; Gan G. Wang, resident of San Diego, County of San Diego, State of California; Laura S. Casas, resident of Chula Vista, County of San Diego, State of California, Shawn Christopher Baker, resident of San Diego, County of San Diego, State of California, and Robert C. Kain, resident of Del Mar, County of San Diego, State of California (hereinafter termed "Inventors"), have invented certain new and useful improvements in COMPOSITE ARRAYS UTILIZING MICROSPHERES WITH A HYBRIDIZATION CHAMBER and has executed an application for a United States patent disclosing and identifying this invention and having Serial No. 09/606,369 and a filing date of June 28, 2000; and

WHEREAS, Illumina, Inc., a corporation of the State of California, having a place of business at 9390 Towne Centre Drive, Suite 200, San Diego, 92121, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventors' certificates and other forms of protection, including any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications, and every reissue or extensions of any of said patents (hereinafter termed "Patent Rights").

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do each hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to all Patent Rights.
2. Said Inventors hereby agree that each will, at Assignee's expense, (a) cooperate with Assignee in the prosecution and enforcement of the Patent Rights, and (b) execute, verify, testify, acknowledge and deliver all such further facts and documents, including applications, petitions, declarations, oaths and instruments of transfer necessary.
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives and assigns.

4. Said Inventors each warrant and represent that he has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee as follows:

Date: April 21, 2001

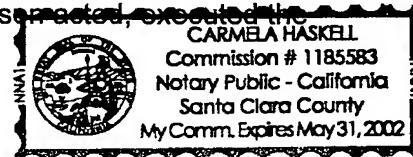
John R Stuelpnagel  
John R. Stuelpnagel

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this 21<sup>st</sup> day of April, in the year 2001, before me, Carmela Haskell, Notary Public of the State of California, personally appeared John R. Stuelpnagel, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



(seal)

Date: April 23, 2001

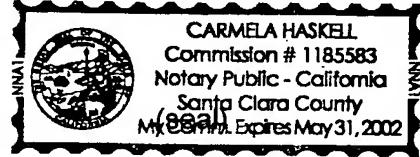
Mark Chee  
Mark S. Chee

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this 23<sup>rd</sup> day of April, in the year 2001, before me, Carmela Haskell, Notary Public of the State of California, personally appeared Mark S. Chee, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



Date: April   , 2001

\_\_\_\_\_  
Steven R. Auger

County of \_\_\_\_\_ )  
                    ) ss.  
State of Massachusetts     )

On this    day of April, in the year 2001, before me, \_\_\_\_\_,  
\_\_\_\_\_, Notary Public of the State of California, personally  
appeared Steven R. Auger, personally known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged that he executed the same in  
his authorized capacity, and that by his signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

Date: April 20, 2001

  
\_\_\_\_\_  
Gan G. Wang

County of San Diego,     )  
                    ) ss.  
State of California.     )

On this 20<sup>th</sup> day of April, in the year 2001, before me, Carmela Haskell,  
\_\_\_\_\_, Notary Public of the State of California, personally  
appeared Gan G. Wang, personally known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged that he executed the same in  
his authorized capacity, and that by his signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



Date: April 20, 2001

Laura S. Casas

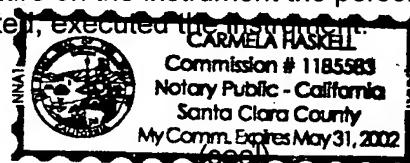
Laura S. Casas

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this 20<sup>th</sup> day of April, in the year 2001, before me, Carmela Haskell, Notary Public of the State of California, personally appeared Laura S. Casas, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



Date: April 24, 2001

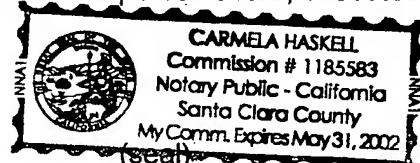
Shawn Christopher Baker

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this 24<sup>th</sup> day of April, in the year 2001, before me, Carmela Haskell, Notary Public of the State of California, personally appeared Shawn Christopher Baker, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



Date: April 19, 2001

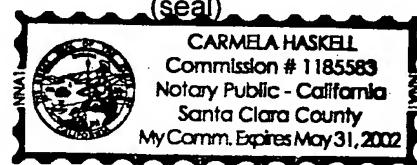
  
Robert C. Kain

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this 19<sup>th</sup> day of April, in the year 2001, before me, Carmela Haskell, Notary Public of the State of California, personally appeared Robert C. Kain, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



A-67493-3/DJB/RMS/DCF  
1049038

(NOT ACCOMPANYING APPLICATION)

WHEREAS, the undersigned, John R. Stuelpnagel, resident of Encinitas, County of San Diego, State of California; Mark S. Chee, resident of Del Mar, County of San Diego, State of California; Steven R. Auger, resident of Norwell, County of Plymouth, State of Massachusetts; Gan G. Wang, resident of San Diego, County of San Diego, State of California; Laura S. Casas, resident of Chula Vista, County of San Diego, State of California, Shawn Christopher Baker, resident of San Diego, County of San Diego, State of California, and Robert C. Kain, resident of Del Mar, County of San Diego, State of California (hereinafter termed "Inventors"), have invented certain new and useful improvements in COMPOSITE ARRAYS UTILIZING MICROSpheres WITH A HYBRIDIZATION CHAMBER and has executed an application for a United States patent disclosing and identifying this invention and having Serial No. 09/606,369 and a filing date of June 28, 2000; and

WHEREAS, Illumina, Inc., a corporation of the State of California, having a place of business at 9390 Towne Centre Drive, Suite 200, San Diego, 92121, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventors' certificates and other forms of protection, including any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications, and every reissue or extensions of any of said patents (hereinafter termed "Patent Rights").

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do each hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to all Patent Rights.
2. Said Inventors hereby agree that each will, at Assignee's expense, (a) cooperate with Assignee in the prosecution and enforcement of the Patent Rights, and (b) execute, verify, testify, acknowledge and deliver all such further facts and documents, including applications, petitions, declarations, oaths and instruments of transfer necessary.
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives and assigns.

will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed and delivered this instrument to said Assignee as follows:

Date: April \_\_\_\_ , 2001

*John R. Stuelpnagel*

County of San Diego,      )  
                                ) ss.  
State of California.      )

On this \_\_\_\_ day of April, in the year 2001, before me, \_\_\_\_\_, Notary Public of the State of California, personally appeared John R. Stuelpnagel, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

Date: April \_\_\_\_ , 2001.

*Mark S. Chee*

County of San Diego,      )  
                                ) ss.  
State of California.      )

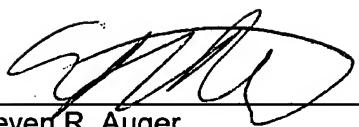
On this \_\_\_\_ day of April, in the year 2001, before me, \_\_\_\_\_, Notary Public of the State of California, personally appeared Mark S. Chee, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

Date: April 23, 2001

  
Steven R. Auger

County of Plymouth )  
State of Massachusetts ) ss.  
                        )

On this 23 day of April, in the year 2001, before me, STEVEN R. AUGER, Notary Public of the State of California, personally ~~Massachusetts~~ appeared Steven R. Auger, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Mary Mackenzie (seal)  
my Commission Expires  
MARCH 15 2007

Date: April       , 2001

Gan G. Wang

County of San Diego,      )  
                               ) ss.  
State of California.      )

On this        day of April, in the year 2001, before me,                           , Notary Public of the State of California, personally appeared Gan G. Wang, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (seal)

Date: April \_\_\_\_ , 2001

Laura S. Casas

County of San Diego,        )  
                                ) ss.  
State of California.        )

On this \_\_\_\_ day of April, in the year 2001, before me, \_\_\_\_\_ Notary Public of the State of California, personally appeared Laura S. Casas, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

Date: April \_\_\_\_ , 2001

Shawn Christopher Baker

County of San Diego,        )  
                                ) ss.  
State of California.        )

On this \_\_\_\_ day of April, in the year 2001, before me, \_\_\_\_\_ Notary Public of the State of California, personally appeared Shawn Christopher Baker, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

Date: April \_\_\_\_ , 2001

\_\_\_\_\_  
Robert C. Kain

County of San Diego,        )  
                                ) ss.  
State of California.        )

On this \_\_\_\_ day of April, in the year 2001, before me, \_\_\_\_\_  
\_\_\_\_\_, Notary Public of the State of California, personally  
appeared Robert C. Kain, personally known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged that he executed the same in  
his authorized capacity, and that by his signature on the instrument the person, or  
the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

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POWER OF ATTORNEY AND AUTHORIZATION OF AGENT

In accordance with the statement under 37 CFR 3.73(b) filed herewith, Illumina Inc. is the assignee of the entire interest in application for letters patent entitled: COMPOSITE ARRAYS UTILIZING MICROSPEHRES WITH A HYBRIDIZATION CHAMBER having named inventors John R. Stuelpnagel, Mark S. Chee, and Steven R. Auger. I, the undersigned individual, who is authorized to act on behalf of Illumina Inc., hereby appoint the following practitioner(s) to prosecute this application, and to transact all business in the United States Patent and Trademark Office connected therewith:

Noemi C. Espinosa, Reg. No. 31,949  
John T. Murphy, Reg. No. 50,583

Please direct all correspondence to:

John T. Murphy  
Illumina, Inc.  
9885 Towne Centre Drive  
San Diego, CA 92121-1975  
Phone (858) 202-4711  
Fax (858) 202-4599

January 28, 2004

Date

  
Noemi C. Espinosa  
Vice President, Intellectual Property

Inventors: Stuelpnagel et al.

Reference No.: 01-00008

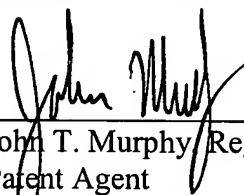
Filed: herewith

Page: 7

**Conclusion**

The Examiner is invited to contact the undersigned agent if there are any questions relating to this matter.

Respectfully submitted,



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John T. Murphy Reg. No. 50,583  
Patent Agent  
Telephone (858) 202-4711  
Facsimile (858) 202-4599

Illumina, Inc.  
9885 Towne Centre Dr.  
San Diego, CA 92121-1975